

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

---

DONALD PARKELL,

Plaintiff,

v.

CHRISTOPHER SENATO, *et al.*,

Defendants.

---

:  
:  
:  
:  
:  
: C.A. No. 14-446-LPS  
:  
:  
:  
:  
:

**INTERIM STATUS REPORT**

Pursuant to the Court's Scheduling Order dated February 14, 2018 (D.I. 81), the parties jointly submit this Interim Status Report.

**Nature of the Matters in Issue**

Plaintiff Donald Parkell ("Plaintiff") brought this lawsuit on April 8, 2014 against three officials from the James T. Vaughn Correctional Center—Food Services Administrator Christopher Senato ("Senato"), Chaplain Frank Pennell ("Pennell") and Inmate Grievance Coordinator Matthew Dutton ("Dutton")—alleging that they denied him equal protection of the law and violated his rights protected by the First Amendment and RLUIPA by failing to timely provide him with a kosher diet. This Court granted Defendants' motion for summary judgment and dismissed Plaintiff's claims. However, in an opinion dated July 11, 2017, the Third Circuit Court of Appeals vacated the portion of this Court's order affording defendants Senato and Pennell qualified immunity on Plaintiff's First Amendment claim. The Third Circuit did not reinstate Dutton as a defendant in this action.

**Progress of Discovery**

The parties have engaged in discovery, which closed on May 31, 2018. Pursuant to the Court's Scheduling Order dated February 14, 2018 (D.I. 81), the parties intend to file dispositive motions on or before June 11, 2018.

**Alternative Dispute Resolution**

The parties held a conference call with Magistrate Judge Burke on April 16, 2018 to discuss alternative dispute resolution. Defendants stated that they did not wish to participate in mediation until, if at all, after a decision had been rendered on dispositive motions.

Dated: June 1, 2018

/s/ Beth Moskow-Schnoll

Beth Moskow-Schnoll (#2900)

William J. Burton (#6243)

Ballard Spahr LLP

919 North Market Street, 11th Floor

Wilmington, DE 19801

(302) 252-4465

*Attorneys for Plaintiff*

*Donald Parkell*

/s/ Kenisha L. Ringgold

Joseph C. Handlon (#3952)

Kenisha L. Ringgold (#5226)

Deputy Attorneys General

820 North French Street

Wilmington, DE 19801

(302) 577-8400

*Attorneys for Defendants*